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Counsel for Plaintiff Dominique Morrison on
behalf of herself and all others similarly situated

[Additional Counsel on Signature Block]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

DOMINIQUE MORRISON, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

ROSS STORES, INC.,

Defendant

Case No: 4:18-cv-02671-YGR

**DECLARATION OF MICHAEL A.
McSHANE IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: **TBD**

Time: **TBD**

Place: Courtroom 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

Complaint Filed: May 7, 2018

1 I, Michael McShane, hereby declare as follows:

2 1. I am an attorney at law and member in good standing with the California State Bar
3 and the United States District Court, Northern District of California. I am an attorney at the law
4 firm Audet & Partners, LLP, attorneys for the plaintiff in this action, *Morrison v. Ross Stores, Inc.,*
5 *et al.*, Case No. 4:18-cv-02671-YGR. I have personal knowledge of the matters stated below, and if
6 called as a witness, I could and would testify competently thereto under oath, except to those
7 matters stated upon information and belief.

8 2. I submit this declaration in support of Plaintiff's Motion for Preliminary Approval of
9 Class Action Settlement.

10 3. Attached as **Exhibit 1** is a true and correct copy of the parties' executed Settlement
11 Agreement and the exhibits thereto.

12 4. The initial complaint in this matter was filed after an extensive factual and legal
13 investigation regarding thread count representations for sheets.

14 5. Attached as **Exhibit 2** is a true and correct copy of the operative Second Amended
15 Complaint in this action.

16 6. Defendant produced thousands of pages of discovery in response to Plaintiff's
17 requests for production in this matter. Plaintiff further served interrogatories and requests for
18 admission onto Defendant. The Plaintiff conducted depositions of Ross's corporate representative,
19 and employees, officers and designees and also served several subpoenas on AQ and other third
20 parties involved in the bed sheet and linen product testing businesses. Likewise, the Plaintiff
21 responded to Ross' written discovery requests, produced documents and was deposed.

22 7. This discovery revealed through sales and revenue data that the putative class was
23 made up of thousands of individuals.

24 8. The most recent deadline for the filing of Class Certification in this matter was April
25 15, 2021. Attached as **Exhibit 3** is a true and correct copy of the order setting that schedule.

26 9. With that deadline pending, the parties mediated before the Honorable Hon.
27 Elizabeth D. Laporte (ret.) on February 18, 2021 and March 3, 2021. The mediation sessions
28

1 provided a framework for the Settlement Agreement, and the parties were able to subsequently
2 reach the settlement now being presented to this Court.

3 10. Attached as **Exhibit 4** is a true and correct copy of my firm, Audet & Partners,
4 LLP's firm resume.

5 11. Attached as **Exhibit 5** is a true and correct copy of the Cuneo Gilbert & Laduca,
6 LLP firm profile and resume.

7 12. Attached as **Exhibit 6** is a true and correct copy of the Levin Sedran & Berman firm
8 resume.

9 13. Attached as **Exhibit 7** is a true and correct copy of the Steckler Wayne Cochran
10 Cherry, PLLC firm resume.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is
12 true and correct, and with respect to those matters stated on information and belief, believe them to
13 be true and correct.

14 Executed at San Francisco, California, on Friday, May 07, 2021.

15
16 Respectfully Submitted,

17 Dated: May 7, 2021

By: s/Michael A. McShane
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